

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

DISTRICT OF NEBRASKA

FILED  
U.S. DISTRICT COURT  
DISTRICT OF NEBRASKA

2015 OCT 30 PM 4:56

OFFICE OF THE CLERK

PRISM TECHNOLOGIES LLC, )  
)  
Plaintiff, )  
)  
v. )  
)  
T-MOBILE USA, INC., )  
)  
Defendant. )  
\_\_\_\_\_ )

8:12CV124

VERDICT FORM

**A. Prism Technologies LLC's ("Prism's") Infringement Claims  
Against T-Mobile USA, Inc., ("T-Mobile").**

**Question 1:** Did Prism prove by a greater weight of the evidence  
that T-Mobile infringes any of the following claims of the  
asserted patents through its 4G LTE cellular network?

**A "yes" is a finding for Prism; a "no" is a finding for T-Mobile.**

U.S. Patent No. 8,127,345

Claim 1: YES \_\_\_\_\_ NO X

Claim 77: YES \_\_\_\_\_ NO X

Claim 87: YES \_\_\_\_\_ NO X

U.S. Patent No. 8,387,155

Claim 11: YES \_\_\_\_\_ NO X

Claim 37: YES \_\_\_\_\_ NO X

Claim 56: YES \_\_\_\_\_ NO X

Repealed 11/11/15  
D.J.  
12-1-15 11:57 AM

**Question 2:** Did Prism prove by a greater weight of the evidence that T-Mobile infringes any of the following claims of the asserted patents through its 3G cellular network?

**A "yes" is a finding for Prism; a "no" is a finding for T-Mobile.**

U.S. Patent No. 8,127,345

Claim 1: YES \_\_\_\_\_ NO X

Claim 77: YES \_\_\_\_\_ NO X

Claim 87: YES \_\_\_\_\_ NO X

U.S. Patent No. 8,387,155

Claim 11: YES \_\_\_\_\_ NO X

Claim 37: YES \_\_\_\_\_ NO X

Claim 56: YES \_\_\_\_\_ NO X

**Question 3:** Did Prism prove by a greater weight of the evidence that T-Mobile infringes any of the following claims of the asserted patents through its Roaming networks?

**A "yes" is a finding for Prism; a "no" is a finding for T-Mobile.**

U.S. Patent No. 8,127,345

Claim 1: YES \_\_\_\_\_ NO X

Claim 77: YES \_\_\_\_\_ NO X

Claim 87: YES \_\_\_\_\_ NO X

U.S. Patent No. 8,387,155

Claim 11: YES \_\_\_\_\_ NO X

Claim 37: YES \_\_\_\_\_ NO X

Claim 56: YES \_\_\_\_\_ NO X

**Question 4:** Did Prism prove by a greater weight of the evidence that T-Mobile infringes any of the following claims of the asserted patents through its IMS Wi-Fi calling network?

A "yes" is a finding for Prism; a "no" is a finding for T-Mobile.

U.S. Patent No. 8,127,345

Claim 1: YES \_\_\_\_\_ NO X

Claim 77: YES \_\_\_\_\_ NO X

Claim 87: YES \_\_\_\_\_ NO X

U.S. Patent No. 8,387,155

Claim 11: YES \_\_\_\_\_ NO X

Claim 37: YES \_\_\_\_\_ NO X

Claim 56: YES \_\_\_\_\_ NO X

**Question 5:** Did Prism prove by a greater weight of the evidence that T-Mobile infringes any of the following claims of the asserted patents through its UMA Wi-Fi calling network?

A "yes" is a finding for Prism; a "no" is a finding for T-Mobile.

U.S. Patent No. 8,127,345

Claim 1: YES \_\_\_\_\_ NO X

Claim 77: YES \_\_\_\_\_ NO X

Claim 87: YES \_\_\_\_\_ NO X

U.S. Patent No. 8,387,155

Claim 11: YES \_\_\_\_\_ NO X

Claim 37: YES \_\_\_\_\_ NO X

Claim 56: YES \_\_\_\_\_ NO X

If you have answered "NO" to all the claims in questions 1, 2, 3, 4, and 5 then you have concluded your deliberations and your foreperson should sign and date the verdict form, and return the verdict to the Court. If you have answered "YES" to any claims, continue to Part B below.

**B. T-Mobile's Invalidity Defenses Against U.S. Patent Nos. 8,127,345 and 8,387,155.**

**Question 6:** Did T-Mobile prove by clear and convincing evidence that any of the following claims of the asserted patents are invalid because they are anticipated by prior art? **A "yes" is a finding for T-Mobile; a "no" is a finding for Prism.**

U.S. Patent No. 8,127,345

Claim 1: YES \_\_\_\_\_ NO \_\_\_\_\_

Claim 77: YES \_\_\_\_\_ NO \_\_\_\_\_

Claim 87: YES \_\_\_\_\_ NO \_\_\_\_\_

U.S. Patent No. 8,387,155

Claim 11: YES \_\_\_\_\_ NO \_\_\_\_\_

Claim 37: YES \_\_\_\_\_ NO \_\_\_\_\_

Claim 56: YES \_\_\_\_\_ NO \_\_\_\_\_

**Question 7:** Did T-Mobile prove by clear and convincing evidence that any of the following claims of the asserted patents are invalid because the prior art makes them obvious? **A "yes" is a finding for T-Mobile; a "no" is a finding for Prism.**

U.S. Patent No. 8,127,345

Claim 1: YES \_\_\_\_\_ NO \_\_\_\_\_

Claim 77: YES \_\_\_\_\_ NO \_\_\_\_\_

Claim 87: YES \_\_\_\_\_ NO \_\_\_\_\_

U.S. Patent No. 8,387,155

Claim 11: YES \_\_\_\_\_ NO \_\_\_\_\_

Claim 37: YES \_\_\_\_\_ NO \_\_\_\_\_

Claim 56: YES \_\_\_\_\_ NO \_\_\_\_\_

**Question 8:** Did T-Mobile prove by clear and convincing evidence that any of the following claims of the asserted patents are invalid due to lack of adequate written description? **A "yes" is a finding for T-Mobile; a "no" is a finding for Prism.**

U.S. Patent No. 8,127,345

Claim 1: YES \_\_\_\_\_ NO \_\_\_\_\_

Claim 77: YES \_\_\_\_\_ NO \_\_\_\_\_

Claim 87: YES \_\_\_\_\_ NO \_\_\_\_\_

U.S. Patent No. 8,387,155

Claim 11: YES \_\_\_\_\_ NO \_\_\_\_\_

Claim 37: YES \_\_\_\_\_ NO \_\_\_\_\_

Claim 56: YES \_\_\_\_\_ NO \_\_\_\_\_

**Proceed to Part C below if you have found one or more of the asserted claims to be infringed (Questions Nos. 1-5) AND that the claim or claims are not invalid (Questions Nos. 6-8). Otherwise, skip part C, sign and date the verdict form, and return the verdict to the Court.**

**C. Damages for the Infringement of Prism's Valid Patent Claims**

What sum of money, if any, do you find that Prism has proven by a greater weight of the evidence is adequate to compensate Prism for T-Mobile's infringement of U.S. Patent No. 8,127,345 and/or U.S. Patent No. 8,387,155?

\$ \_\_\_\_\_

DATED this 30<sup>th</sup> day of October, 2015.

\_\_\_\_\_  
FOREPERSON